

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
ALABAMA EASTERN DIVISION

Candace Alexander,

Plaintiff

v.

Jameka Scales, Corey Bennett, Patrick Bennett, and Vickie Bennett,

Defendants

Civil Action No. 1:25-cv-00980-CLM

**NOTICE REGARDING DEFENDANTS' SERVICE AND WAIVER OF
OBJECTION**

Plaintiff Candace Alexander respectfully files this notice to clarify and preserve the record regarding the Defendants' waiver of any objection to service of process, as follows:

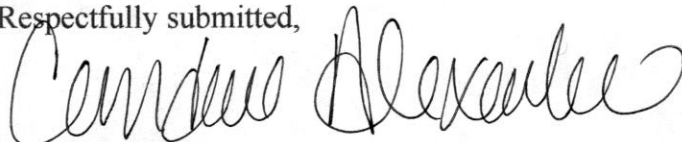
1. On or about June 26–30, 2025, all four named Defendants were served by USPS Certified Mail with return receipt, consistent with Federal Rule of Civil Procedure 4(e). Each delivery was confirmed and signed, and the green cards are on file with the Court.
2. On July 15, 2025, Defendants Corey Bennett, Jameka Scales, Vickie Bennett, and Patrick Bennett filed a joint **Motion for Extension of Time to Respond to Complaint**. In that motion, the Defendants acknowledged the existence of the summons and complaint, and requested 30 additional days to respond.
3. While the motion used the phrase “allegedly received,” this language is legally and procedurally contradictory. The Defendants cannot simultaneously dispute service while also benefiting from additional time granted in response to the same service.
4. Under **Rule 12(h)(1)** of the Federal Rules of Civil Procedure, any objection to sufficiency of service must be raised in the first responsive pleading or it is **waived**. The Defendants did not raise such an objection, and thus the issue is now **conclusively waived**.
5. Furthermore, USPS records and the Defendants' own motion confirm their awareness and active participation in the litigation, rendering any future service objection procedurally invalid.

Conclusion:

The Plaintiff respectfully asks the Court to treat all four Defendants as properly served and actively engaged in the matter. Any attempt to raise service-related objections at a later stage should be considered waived under Rule 12(h)(1).

FILED
2025 JUL 21 A 9:39
U.S. DISTRICT COURT
N.D. OF ALABAMA
ECB

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Candace Alexander". The signature is fluid and cursive, with the first name "Candace" and last name "Alexander" clearly distinguishable.

Candace Alexander

7415 Nature Walk Way SE

Owens Cross Roads, AL 35763

Pro Se Plaintiff